

COMPLAINTS AND GRIEVANCES

Any employee of the Livingston Parish School Board, or student, shall have the right to appeal the application of policies and administrative decisions affecting him/her. The person filing the grievance shall be assured freedom from restraint, interference, coercion, discrimination, or reprisal in presenting his/her appeal with respect to a personal grievance.

All grievances shall be handled expeditiously, and according to the following procedures.

DEFINITIONS

1. A grievance is a claim by a student, parent, employee or group thereof involving the application or violation of a contract, a school board policy and/or procedure affecting him/her. The term "grievance" does not include matters for which the method of review is prescribed by law or where the School Board is without authority to act (e.g., employee lack of certification). Complaints or grievances about any job action taken against an employee shall be excluded from this policy.

Any claim by an individual that there has been a violation of rights shall be a grievance and shall be resolved through the procedures set forth herein.

2. A grievant is the person making the claim.
3. A party in interest is the person making a claim (grievant) and any person or persons who might be required to take action or against whom action might be taken in order to resolve the claim.

PROCEDURE

Grievances shall be processed as rapidly as possible. The number of days indicated at each level is a maximum, and every effort shall be made to expedite processing the grievance. All proceedings of a grievance shall be kept confidential.

Step 1. After informally and thoroughly discussing any grievance with the employee's immediate supervisor or principal, upon reaching no satisfactory resolution of the grievance, the employee or student shall promptly present the grievance in writing to the immediate supervisor or principal. Such notice shall be presented no later than five (5) working days from the date of discussion. The written grievance submitted shall state the nature of the grievance and the harm or injury caused that initiated the grievance. The employee or student and the immediate supervisor or principal shall attempt to resolve the grievance. The immediate supervisor or principal shall make a proper disposition of the grievance and shall reply to the grievant within five (5) working days following the date of submission. If the grievance is not submitted within the time prescribed, the grievant

shall be deemed not to have further right with respect to said grievance.

Step 2. In the event the grievant wishes to appeal the decision at Step 1, or if no decision has been rendered in the time specified, the appeal must be presented to the Superintendent or designee in writing within five (5) working days of the receipt of the Step 1 decision. Such appeal shall contain a statement of the grievance and specified references to the action taken causing the grievance. Upon receipt of such a written appeal, the Superintendent or designee shall schedule a hearing at a specific date and time and send proper notice of the scheduled hearing to the grievant. The Superintendent or designee, at the date and time specified, shall conduct a full hearing on the grievance, and in doing so, maintain a transcript of the proceedings. Following the hearing, the Superintendent or designee shall make a written recommendation for disposition of the grievance and provide a copy of the transcript to the School Board at a meeting of the Board.

Step 3. After reviewing the transcript of the grievance hearing and the recommendation of the Superintendent or designee, the School Board then shall dispose of the grievance.

MISCELLANEOUS

1. A grievance may be withdrawn at any level without prejudice or record. Additionally, there shall be no recrimination against a person because a grievance has been filed in accordance with the provisions outlined herein.
2. Copies of all written decisions of grievances shall be sent to all parties involved.
3. All documents, communication, or records dealing with a grievance shall be made part of the grievant's files and shall be destroyed only in accordance with Board policy.
4. Appeals of grievance decisions shall be limited to the specific issues raised in the original grievance. The parties involved shall not be allowed to expand the issues during the grievance procedure, except to the extent necessary to respond to administrative decisions made along the way.
5. Failure by the grievant to meet the timelines and requirements of this procedure shall result in dismissal of his/her grievance. Failure by the administrative person rendering the decision to meet timelines and requirements of this procedure shall allow the grievant, at his/her option, to proceed to the next level of appeal.
6. If an employee leaves the employment of the School Board during the pendency, at any level, of a complaint or grievance, then the employee loses the right to continue the complaint process.

REPRESENTATION

The person bringing forth the grievance shall have the right to present his/her own grievance. Grievants have the right to have representation at Steps 2 and 3.

If a person chooses to have representation when presenting his/her grievance, said person shall provide advance notice of such in writing to the immediate supervisor at the respective procedural level at least two (2) days prior to the meeting on the grievance.

Revised: July, 2016

Ref: La. Rev. Stat. Ann. §17:100.4; Pickering v. Board of Education, 88 S. Ct. 1731 (1968); Board minutes, 6-77, 8-3-78.